

West Branch Commercial Historic District (Boundary Increase), 124 W. Main St., West Branch, 95000386

Floyd County

Lane, Lucius and Maria Clinton, House, 2379 Timber Ave., Charles City vicinity, 95000384

Jackson County

Squiers, J.E., House (Maquoketa MPS), 418 W. Pleasant St., Maquoketa, 95000385

LOUISIANA

Rapides Parish

Carnahan House, 212 Ulster Ave., Boyce, 95000373

St. Landry Parish

Wier House, 310 E. Bellevue St. Opelousas, 95000368

West Baton Rouge Parish

Smithfield Plantation House, 12445 N River Rd., Port Allen vicinity, 95000387

MICHIGAN

Charlevoix County

Horton Bay House—Red Fox Inn, 05156 Boyne City Rd., Bay Township, Horton Bay, 95000372

Sanilac County

Matthews, Thomas and Margaret Spencer, Farm, 5916 E. Gardner Line Rd., Worth Township, Amador vicinity, 95000371

MISSOURI

Hickory County

Quincy Public Hall, MO 83, Quincy, 95000370

MONTANA

Carbon County

Kent Dairy Round Barn, US 212, 2 mi. N of Red Lodge, Red Lodge vicinity, 95000381

Lewis and Clark County

Power, C.B., Bungalow, 1.2 mi. N of I-15 and 1 mi. W of US 287, Wolf Creek vicinity, 95000380

Stearns Hall, 2 mi. N of jct. of MT 200 and Hwy. 434, Wolf Creek vicinity, 95000382

Petroleum County

Winnett School, Address unavailable, Winnett, 95000383

TEXAS

Presidio County

El Fortin del Cibolo Historic District (Historic Resources Associated with Milton Faver, Agriculturist, MPS), Approximately 4 mi. NW of Shafter, W of US 67, Shafter vicinity, 95000366

La Morita Historic District (Historic Resources Associated with Milton Faver, Agriculturist, MPS), Approximately 5 mi. SW of Shafter, E of US 67, Shafter vicinity, 95000367

VERMONT

Windham County

Green River Crib Dam, Green River Rd. (Town Hwy. # 5), Guilford, 95000374

VIRGINIA

Clarke County

Josephine City School, 301-A Josephine St., Berryville, 95000397

Prince Edward County

Buffalo Presbyterian Church, VA 659, 0.3 mi. S of jct. with VA 658, Pamplin vicinity, 95000395

Rockbridge County

Rockbridge Inn, Valley Rd., N side, at jct. with VA 743, Natural Bridge vicinity, 95000398

Sussex County

Hunting Quarter, VA 632, S of jct. with VA 608, Haverly vicinity, 95000396

Suffolk Independent City

Chuckatuck Historic District, Jct. of VA 10/32 and VA 125, Suffolk (Independent City), 95000393

Driver Historic District, Jct. of VA 125 and VA 629, Suffolk (Independent City), 95000394

Whaleyville Historic District, Jct. of US 13 and VA 616, Suffolk (Independent City), 95000392

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-365]

Decision Not To Review an Initial Determination Finding a Violation of Section 337 and Schedule for the Filing of Written Submissions on Remedy, the Public Interest, and Bonding

In the Matter of: Certain Audible Alarm Devices for Divers.

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the initial determination (ID) issued on February 2, 1995, by the presiding administrative law judge (ALJ) in the above-captioned investigation finding a violation of section 337 in the importation and sale of certain audible alarm devices for divers.

FOR FURTHER INFORMATION CONTACT: Rhonda M. Hughes, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3083. Copies of the nonconfidential version of the ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S.

International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone 202-205-3000. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: On June 8, 1994, the Commission instituted an investigation of a complaint filed by David A. Hancock and Ideations Design Inc. under section 337 of the Tariff Act of 1930. The complaint alleged that Duton Industry Co., Ltd. (Duton) of Taipei, Taiwan and IHK International Corp. (IHK) of Torrance, California had imported, sold for importation, and sold within the United States after importation certain audible alarm devices for divers by reason of infringement of claim 6 of U.S. Letters Patent 4,950,107 (the '107 patent) and claim 1 of U.S. Letters Patent 5,106,236 (the '236 patent). The Commission's notice of investigation named as respondents Duton and IHK, each of which was alleged to have committed one or more unfair acts in the importation or sale of audible alarm devices for divers that infringe the asserted patent claims.

The ALJ conducted an evidentiary hearing commencing on October 11, 1994, and issued her final ID on February 2, 1995. She found that: (1) claim 6 of the '107 patent and claim 1 of the '236 patent are valid and enforceable; (2) there is a domestic industry manufacturing and selling products protected by these two claims; (3) respondent IHK has imported products that infringe claim 6 of the '107 patent and claim 1 of the '236 patent, and respondent Duton has exported to the United States products that infringe claim 6 of the '107 patent and claim 1 of the '236 patent. Based upon her findings of validity, infringement, and domestic industry, the ALJ concluded that there was a violation of section 337.

No petitions for review of the ID were filed and, consequently, no responses thereto were filed. No government comments on the ID were received by the Commission.

In connection with final disposition of this investigation, the Commission may issue (1) an order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) cease and desist orders that could result in respondents being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written

submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or are likely to do so. For background, see the Commission Opinion, In the Matter of Certain Devices for Connecting Computers via Telephone Lines, Inv. No. 337-TA-360.

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the President has 60 days to approve or disapprove the Commission's action. During this period, the subject articles would be entitled to enter the United States under a bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed, if remedial orders are issued.

Written Submissions

The parties to the investigation, interested government agencies, and any other interested persons are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Complainants and the Commission investigative attorney are also requested to submit proposed remedial orders for the Commission's consideration. The written submissions and proposed remedial orders must be filed no later than the close of business on April 3, 1995. Reply submissions must be filed no later than the close of business on April 10, 1995. No further submissions will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document and 14 true copies thereof with the Office of the Secretary on or before the deadlines stated above. Any person desiring to submit a document (or portion thereof)

to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 C.F.R. § 201.6. Documents for which confidential treatment is granted by the Commission will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and §§ 210.53 and 210.58 of the Commission's interim rules of practice and procedure (19 CFR 210.53 and 210.58).

Issued: March 13, 1995.

By order of the Commission.

Donna R. Koehnke,

Secretary.

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BILLING CODE 7020-02-P

[Investigations Nos. 731-TA-700-701 (Final)]

Commission Determination To Conduct a Portion of the Hearing in Camera

In the Matter of: Disposable Lighters From the People's Republic of China and Thailand.

AGENCY: U.S. International Trade Commission.

ACTION: Closure of a portion of a Commission hearing to the public.

SUMMARY: Upon request of respondent Thai Merry Co., Ltd. (Thai Merry) in the above-captioned final investigations, the Commission has unanimously determined to conduct a portion of its hearing scheduled for March 21, 1995, *in camera*. See Commission rules 207.23(d), 201.13(m) and 201.35(b)(3) (19 CFR 207.23(d), 201.13(m) and 201.35(b)(3), as amended, 59 FR 66719 (Dec. 28, 1994)). The remainder of the hearing will be open to the public. The Commission has unanimously determined that the seven-day advance notice of the change to a meeting was not possible. See Commission rule 201.35(a), (c)(1) (19 CFR 201.35(a), (c)(1), as amended, 59 FR 66719 (Dec. 28, 1994)).

FOR FURTHER INFORMATION CONTACT: Rhonda M. Hughes, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-

205-3083. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission believes that Thai Merry has justified the need for a closed session. Because petitioner BIC Corporation is the sole domestic producer, a full discussion of petitioner's financial condition and of many of the indicators that the Commission examines in assessing material reason by reason of subject imports can only occur if at least part of the hearing is held *in camera*. In addition, because Thai Merry is the sole participating Thai respondent in these investigations and because the Commission's preliminary determination that there was a reasonable indication that imports from Thailand pose a threat of material injury to the domestic industry, any discussion of Thai producer and importer data as required by the Commission's analysis of the statutory factors pertaining to a finding of threat of material injury by reason of those imports will necessitate disclosure of business proprietary information (BPI). Thus, such a discussion can only occur if a portion of the hearing is held *in camera*. In making this decision, the Commission nevertheless reaffirms its belief that whenever possible its business should be conducted in public.

The hearing will include the usual public presentations by petitioner and by respondents, with questions from the Commission. In addition, the hearing will include an *in camera* session for a presentation including BPI by respondents and for questions from the Commission relating to the BPI. For any *in camera* session the room will be cleared of all persons except: those who have been granted access to BPI under a Commission administrative protective order (APO) and are included on the Commission's APO service list in these investigations. See 19 CFR 201.35(b)(1), (2). In addition, if petitioner's BPI will be discussed in the *in camera* session, personnel of petitioner may also be granted access to the closed session. Similarly, if respondents' BPI will be discussed in the *in camera* session, personnel of respondents may also be granted access to the closed session. See 19 CFR 201.35(b)(1), (2). The time for the parties' presentations and rebuttals in the *in camera* session will be taken from their respective overall allotments for the hearing. All persons planning to attend the *in camera* portions of the